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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,652	09/29/2004	Bogdan Radu	MASL-53	5651

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EXAMINER

PATEL, KIRAN B

ART UNIT	PAPER NUMBER
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3612

DATE MAILED: 06/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/711,652

Applicant(s)

RADU ET AL

Examiner

Kiran B. Patel

Art Unit

3612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) 9-11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/29/04 10/4/04
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Non-Final Rejection

Election/Restriction

1. Applicant's election without traverse of Group I, claims 1-8 and cancellation of claims 9-11 is acknowledged.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim(s) 1-3, 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carlsen et al. (5,730,491) in view of Kojima (4,996,995) and Fecher et al. (2005/0067952).

Regarding Claim(s) 1-3, 8, Carlsen et al. (5,730,491) discloses the invention as claimed to include a support 118 and an ashtray 201 coupled to said support and adapted to store one or more items, said ashtray comprising: a compartment body

44' defining a cavity Fig 9 adapted to store the one or more items and having an opening Fig 10 for gaining access to said cavity, said compartment body including a first connecting member 206 integrally formed therein; and a cover 203 including a second connecting member 205 integrally formed therein, said first connecting member cooperating with said second connecting member to couple said cover to said compartment body, said cover being moveable between an open position, wherein said cavity is accessible through said opening, and a closed position, wherein said cover overlies said opening.

However, Carlsen et al. (5,730,491) does not disclose a molded electroluminescent lamp for illumination.

Kojima (4,996,995) discloses a lamp for illumination.

Fecher et al. (2005/0067952) discloses a molded electroluminescent lamp.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention, as disclosed by Carlsen et al. (5,730,491), to include a molded electroluminescent lamp for illumination, as disclosed by Kojima (4,996,995) and Fecher et al. (2005/0067952), to illuminate the assembly for easier night use and use molded electroluminescent lamp (being very slim) to maximize the usable space in the assembly.

3. Claim(s) 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carlsen et al. (5,730,491) as applied to claim 1 and further in view of Volk (5,440,458).

Regarding claim(s) 4-7, Carlsen et al. (5,730,491) discloses the invention as claimed.

However, Carlsen et al. (5,730,491) does not disclose a power source, a first/second electrical connector; and an electrical switch.


Volk (5,440,458) discloses a power source 46, a first 42/second 44 electrical connector; and an electrical switch 48.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention, as disclosed by Carlsen et al. (5,730,491), to include a power source, a first/second electrical connector; and an electrical switch, as disclosed by Volk (5,440,458) to power the lamp when the cover is open and disconnect the power when the cover is closed.

Conclusion

4. The prior art made of record in attached Notice of Reference Cited (PTO-892) and not relied upon is considered pertinent to applicant's disclosure. This art of record shows various features similar to the applicant's invention.

5. Any inquiry concerning this communication or earlier communications should be directed to Primary Examiner Kiran B. Patel whose telephone number is 571-272-6665. The examiner can normally be reached on M-F from 8:00 to 5:00. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.


Kiran B. Patel, P. E.
Primary Examiner
Art Unit 3612
May 30, 2005